

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Child and Family Services Agency**



Administrative Issuance: CFSA-12-12

TO: All CFSA Staff

FROM: Brenda Donald  
Acting Director

DATE: December 14, 2012

RE: Protecting Children in Care from Identity Theft

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The Child and Family Services Agency (CFSA) is legally mandated under certain circumstances to request a consumer credit report on behalf of children in care who are younger than 16 years of age. CFSA is also mandated to annually request such reports for youth in care who are 16 years of age and older. CFSA must request each report from a nationally-ranked consumer reporting agency in order to determine whether the child or youth is the victim of identity theft. If identity theft is suspected, CFSA shall work with all three of the top nationally-ranked credit reporting agencies (TransUnion, Equifax, and Experian) and, if necessary, law enforcement to resolve any concerns related to the report. Older youth (from age 16 up until 21) shall receive assistance from CFSA and, when feasible, from any court-appointed advocate for the youth to help interpret the report. Youth may also be referred to an approved organization that provides credit counseling to victims of identity theft.

Identity theft can be a costly experience, especially for an innocent child or youth who might face long-term damage for securing future job opportunities, loans, and/or appropriate housing. This administrative issuance provides the guidelines and procedures for ensuring that the District of Columbia's child welfare system complies with District and federal regulations for protecting children and youth in care from identity theft.

This issuance is effective as of January 25, 2012. If you have any questions regarding this issuance, please contact the Office of the Deputy Director for Community Partnerships (CP) or the Office of the General Counsel.

**General Considerations**

1. CFSA and private agency social workers shall be familiar with general information regarding identity theft and, in particular, shall ensure that older youth on their case loads are well versed in prudent behavior that will help protect them from such theft. Social workers shall be especially cognizant that the following identifying information is most commonly vulnerable to theft:
  - a. Name and address
  - b. Birth date
  - c. Mother's maiden name
  - d. Numbers associated with the following personal information:
    - i. Social Security
    - ii. Medicaid card
    - iii. Passport or visa

- iv. Driver's license
  - v. Bank account
  - vi. Credit or debit card
  - vii. Telephone
2. The above-cited pieces of information might be used fraudulently for any of the following intents:
- a. Opening credit card accounts, including individual store credit cards
  - b. Erasing poor credit history
  - c. Initiating utility services such as electricity, gas, or telephone
  - d. Creating a bank account
  - e. Obtaining employment
  - f. Accessing government benefits
  - g. Tax fraud
  - h. Payment for medical expenses
  - i. Evasion of the law
  - j. Purchases of homes or automobiles
3. If any youth, regardless of age, informs his or her social worker that identity theft may have occurred, the social worker shall immediately inform CP staff and if warranted, CP staff shall request a credit report.

### **Process for Protecting Children under the Age of 16**

1. A designated staff member in the CP shall run a credit report from one of the top three nationally-ranked credit reporting agencies for all children and youth under the age of 16 *under one or more of the following circumstances*:
- a. A petition for adoption has been filed for the child with the Family Court of the District of Columbia Superior Court.
  - b. A motion for guardianship has been filed for the child with the Family Court of the District of Columbia Superior Court.
  - c. CFSA anticipates that the jurisdiction of the Family Court will be terminated.
2. Social workers with children on their caseload in one of the above three categories shall submit the following documentation to CP within 10 days of a petition or motion being filed or anticipation of the District's jurisdiction being terminated:
- a. Child's name
  - b. Child's current address
  - c. Social Security number
  - d. Copy of the Family Court order indicating that CFSA is currently the legal guardian or custodian of the child or youth
  - e. Copy of the petition, motion, or other Family Court documentation relevant to the child's exit from foster care

3. Once documentation has been submitted by email, interoffice mail, or in person, the following steps shall be completed:
  - a. Within 5 business days of receipt of documentation, the designated CP staff member shall run the report(s) and provide a copy of the results to the social worker via email or interoffice mail.
  - b. The social worker shall provide the child's guardian *ad litem* (GAL) and the assigned assistant attorney general (AAG) with a copy of the credit report(s) within 10 business days of receipt.
  - c. If there is any credit activity that indicates identity theft may have occurred, the following steps shall be taken:
    - i. The designated CP staff member shall immediately alert the social worker and the Office of General Counsel (OGC), and also provide the OGC with a copy of the credit report(s).
    - ii. The ongoing social worker shall inform and discuss with the age-appropriate child, the birth parents, and the resource parents or provider the suspicion of identity theft. In addition, the social worker shall ask for any information that may help to determine the circumstances surrounding the identity theft.
    - iii. The social worker shall share any information with the OGC and the CP staff member.
4. Upon review of the gathered information, the OGC may direct the CP staff member to forward all relevant information and documentation within 10 business days to the District's Metropolitan Police Department (MPD) for criminal investigation.
5. The designated CP staff member shall contact the credit reporting agency within 2 business days of the review with the OGC to initiate clearance of the child's credit record in accordance with the procedures prescribed by that agency.
6. The CP staff member shall refer the age-appropriate child and his or her birth parents and/or resource parents to the credit reporting agency for credit counseling within 2 business days of the review with the OGC.
7. Within 30 calendar days of a reported identity theft, the designated CP staff member shall run another credit check for the same child every 30 days until confirmation is received that the record has been cleared. A copy of the report(s) shall be provided to the social worker who shall in turn ensure a copy is sent to the child's GAL and the AAG within 10 business days.

### **Process for Protecting Youth Aged 16 Years and Older**

1. Social workers shall ensure that youth understand the following information:
  - a. The concept of identity theft and its consequences
  - b. The importance of (and processes involved in) preventing identity theft
  - c. The substance and results of a credit report
2. The designated CP staff member shall request an annual credit report for all youth who are 16 years old or older, up until such time as the youth exits foster care.

3. If a credit report exists, a designated staff member from the CP shall run a credit report from the other two nationally-ranked credit reporting agencies.<sup>1</sup>
4. CP staff shall forward all credit reports to a youth's assigned social worker. If a credit report reveals any inaccuracies or reveals potential or apparent identity theft, CP will ensure that any and all corrective action is initiated.<sup>2</sup>
5. If appropriate, the social worker shall refer the youth to the same credit reporting agency used by CP staff for credit counseling.
6. The social worker shall provide the credit report(s) to the GAL and the AAG within 10 business days of receipt.
7. When feasible, a court-appointed advocate for the youth shall assist in the interpretation and resolution of any inaccuracies in the report(s).

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<sup>1</sup> As part of the credit report request, OPDDPO staff shall provide the credit reporting agency with requisite documentation, such as the staff member's official CFSA identification and a signed CFSA ward notification letter that corroborates the identity of the requestor and the CFSA foster youth, respectively.

<sup>2</sup> "Corrective action" includes activities highlighted in Attachment E of [ACYF-CB-PI-12-07](#), the U.S. Department of Health and Human Services' Administration on Children, Youth and Families' *Program Instruction* on credit reporting requirements for states and territories. Corrective action may be initiated and followed up on by the OAG, the GAL, the child's CASA (court-appointed special advocate) volunteer, and/or the youth's assigned social worker.